**USOR SCOPE OF WORK DISCUSSION**
**8-15-13 @ EPA Dallas Office**
**Notes issued 9-6-13**
**(attendee list included in the end)**

## I. Site

### 1. Discussion of Site definition

- EPA noticed the presence of roll-offs and other source materials near the property boundary (fence line). Site boundaries will be discussed with the EPA's Site Attorney and PRP Group Counsel. For Draft Scope of work use "on-property" and "off-property".

- Definition of site, according to NPL, is extent of contamination from site. Here is an excerpt from the HRS package. "The street address, coordinates, and contaminant locations presented in this HRS documentation record identify the general area in which the site is located. They represent one or more locations EPA considers to be part of the site based on the screening information EPA used to evaluate the site for NPL listing. EPA lists national priorities among the known "releases or threatened releases" of hazardous substances; thus, the focus is on the release, not precisely delineated boundaries. A site is defined as where a hazardous substance has been "deposited, stored, placed, or otherwise come to be located." Generally, HRS scoring and the subsequent listing of a release merely represent the initial determination that a certain area may need to be addressed under CERCLA. Accordingly, EPA contemplates that the preliminary description of property boundaries at the time of scoring will be refined as more information is developed as to where the contamination has come to be located."

- Sampling in the first iteration will be conducted on-property, areas outside perimeter of property where source material was stored on the fence line, and areas with documented releases on and off-property.

### 2. Discussion of Areas of Interest (AOIs) vs OUs

- EPA management would like to consider US Oil and MCC as Areas of Interest (AOI) 1 and 2 respectively. EPA management is concerned that there may not be a distinctive groundwater plume for the two AOIs and hence they do not want to establish two separate OUs at this time and then having to break out groundwater as a separate OU at a later date. Each AOI will have separate evaluations and corresponding documents including AOCs and SOWs. Once the nature and extent of contamination is known the conversion of AOIs to OUs can be considered. Separate account numbers will be assigned to each AOC. Once the AOCs are signed EPA will track costs under the separate account numbers for the two AOIs.

- The PRP consultants will relate EPA's decision to not designate OU's at this time to their clients – they may contact EPA legal to discuss in more detail. The PRP consultants concurred with the approach, but stated that they had to confirm the use of the terminology with their clients to ensure that there were no legal issues. For the purposes of the Scope of Work, the PRP consultants will use the terms AOI-1 (for former OU-1) and AOI-2 (for former OU-2).



3. Need for additional information on Site History and include information from Removal Action

- EPA expressed concerns that 17 documented releases occurred according to the HRS and indicated that these documented releases be discussed in SOW. PRP consultants agreed to document the known releases. An appendix to the Scope of Work will be developed that will include the rationale for the proposed sampling locations (i.e., locations based upon known site history) and a summary of completed and pending removal actions. Each documented release will be correlated with the point of release. Drainage patterns will be considered when developing sampling plan.

## II. Investigation and Sampling

4. Iterative sampling as a screening tool and why it should not be used to eliminate contaminants of potential concern from off-site sediment and surface water sampling; Combine iterations 2-4

EPA expressed concerns about iterative approach and felt that a 2 iteration sampling plan was sufficient. EPA agreed that the iterative approach can be used to revise the list of contaminants that are sampled in additional iterations, but stated that detected contaminants will need to be retained and screening values will not be used till all sampling iterations are completed.

The group agreed to the following 3 iterative approaches as summarized below.

a. Iteration 1 – On-property soil, groundwater, sediment and surface water investigation; and off-property soil and groundwater investigation; followed by a COPC screening step. The screening step will be used to determine whether a contaminant might originate from the site. If it is likely, it will be retained for the next iteration. If not, it will be eliminated. The specific screening criteria to be used will be determined during the RI/FS Work Plan development and not as part of the Scope of Work preparation. A data assessment meeting will be held after Iteration 1.
b. Iteration 2 – Vince Bayou/Little Vince Bayou sediment and surface water investigation; followed by a COPC screening step (as above). A data assessment meeting will be held after Iteration 2.
c. Iteration 3 – Vince Bayou/Little Vince Bayou fish and shellfish investigation. A data assessment meeting will be held after Iteration 3.

5 and 6. Judgmental vs Statistical approach for number of samples and Systematic grid sampling and additional sampling locations

EPA commented that judgmental sampling was less than ideal for statistical analysis and wanted a mix of both judgmental and random or grid sampling. The PRP consultants will evaluate need for additional sampling following the first iteration of sampling and will show that the number of samples collected is sufficient for statistical analysis or propose additional sampling. Ultimately, this information will be provided in the RI Report. It was recognized that this approach would be more conservative and targeted than the grid-based sampling program when calculating risk. Manhole covers, outfalls, and areas with known releases will be identified in figures and evaluated with judgmental sampling.

7. Inclusion of PCB, Dioxins, and pesticide sampling

The PRP consultants did not include analysis of PCBs and dioxins in the draft sampling plan. EPA needs to know if PCBs, dioxins, and pesticides are onsite. The EPA stated that due to limited information on the site history that it would be appropriate to sample for these contaminants. The

PRP consultants did not agree to sample for these contaminants. The PRP consultants stated that evidence is not available that would indicate the presence of either PCBs or dioxins and that neither of these contaminants should be included in the Scope of Work. PRP consultants stated that though existing data did not show the presence of these contaminants, they discussed the sampling of on-site source materials (AST tanks, bioreactors, totes) as part of the removal action . PRP consultants will provide a separate document with the data and rationale for not sampling for PCBs and dioxins at AOI-1 as part of the RI. EPA will review this data and determine the need to sample for PCBs and dioxins.. The detection of pesticides will be mentioned in the site history. Pesticides are on the COPC list for AOI-1 in the draft Scope of Work and will be sampled in the first iteration sampling plan.

### 8. Inclusion of relevant sampling from Removal Action – bioreactor, frac tanks, ASTs etc.

More information needs to be included in SOW on the retention pond, ASTs, frac tanks, and other source locations at the site. PRP consultants will identify pipelines and show pipeline locations on figures. EPA requested more information on source areas on-property. The PRP consultants will provide more information on source materials and discuss the material that will be addressed through the removal program. Additional sampling of these areas may be needed if they are not addressed in the removal program or in the Scope of Work..

### 9. Fish and shellfish investigation and sampling

Fish sampling will be in the 3rd iteration. The specifics will be discussed after the 2nd iteration of sampling.

### 10. Air Sampling

An investigation of vapor intrusion and air pathways is included in the draft Scope of Work. Air sampling to be conducted if necessary based on evaluation of soil and groundwater data, modeling, etc. There won't be any air sampling from the waste since it will be removed.

### 11. Need for background samples

Background sampling for soil, sediment, and surface water will be needed. Details on background sampling will be provided in the RI/FS Work Plan.

### 12. Process of eliminating COPC

The list of contaminants to be carried forward and sampled will be discussed and refined after each iteration of sampling. A comparison to screening benchmark values will be used to eliminate COPCs after all the sampling iterations are completed. The specific screening criteria to be used will be determined during the RI/FS Work Plan development and not as part of the Scope of Work preparation.

## III. DQO

### 13. Seven step format for DQOs

DQO guidance was discussed at the meeting. DQO format will be followed in the RI/FS workplan.

## IV. Risk Assessment

### 14. Need for details on risk calculations and effects evaluations in the SLERA and HHRA;

Details are provided in the Statement of Work (SOW) and additional detail, as needed, will be provided in the RI/FS Work Plan. A reference to the SOW will be added to the draft Scope of Work.

### 15. Need for eight step ecological assessment process and discussion for the need of a BERA work plan and a BERA report.

The draft Scope of Work will be revised to include a reference to the expected deliverables from the RI/FS, with a reference to the SOW.

### 16. Sufficiency of TMDL data for risk assessment

Reference to the TMDL data will be removed from the Draft Scope of Work.

## V. Schedule

This is to be determined. Next step is a revised Scope of Work based on meeting discussions. Due to end of Fiscal Year commitments, EPA staff will not be able to review a revised Scope of Work until October 1, 2013, Revised Scope of Work will be submitted at that time.

# US Oil meeting 8/15/13

| | | |
|---|---|---|
| Dipanjana Bhattacharya | EPA Risk Assessor | 214-665-6753 |
| Matt Wickham | PBW for USOR PRPs | 3615736442 |
| Eric Pastor | PBW for USOR PRP Grp | 512-671-3434 |
| Kirby Tyndall | PBW for USOR PRP Group | 512 671-3434 |
| PATRICK C. GOBB | NEWFIELD FOR BAKER | 972-956-9100 |
| Kenneth Shewmake | EPA | 214 665-3198 |
| RAJI JOSIAM | EPA | 214 665-8529 |
| BRENDA COOK | EPA | 214-6605-7436 |
| Lam Tran | TCEQ (phone) | 713-767-3559 |
| Adam Adams | EPA (phone) | 214-665-2779 |